

May 9, 2016

Via ECF

Hon. Jesse M. Furman,
U.S. District Court for the Southern District of New York,
Thurgood Marshall United States Courthouse,
40 Centre Street, Room 2202,
New York, NY 10007.

Re: *Alaska Electrical Pension Fund, et al. v.*
Bank of America Corp., et al., 14-cv-7126 (JMF)

Dear Judge Furman:

In connection with the above-referenced matter, the undersigned Defendants (the “Settling Defendants”) write to address an issue that the Court raised during a May 5, 2016 status conference regarding Plaintiffs’ Motion for Preliminary Approval of Settlement Agreements with Bank of America, N.A.; Barclays Bank PLC; Citigroup Inc.; Credit Suisse AG, New York Branch; Deutsche Bank AG; JPMorgan Chase & Co.; and Royal Bank of Scotland plc (ECF No. 220).

During the conference, the Court indicated that it is inclined to strike the second sentence of Paragraph 18 of the [Proposed] Order Preliminarily Approving Settlement Agreements, Certifying the Settlement Class, and Appointing Class Counsel and Class Representatives for the Settlement Class (the “Provision”), which reads: “Pending final determination of whether the Settlement Agreements should be approved, neither Plaintiffs nor any Settlement Class Member shall commence or prosecute any action alleging any of the Released Class Claims against any of the Settling Defendants.” (ECF No. 220-1.) Plaintiffs responded that they would not object should the Court determine to strike the Provision from the order, and Your Honor directed the Settling Defendants to advise the Court, by today, of their position on the same.

The Settling Defendants also have no objection to the Court’s striking the Provision, and respectfully request that the Court enter the proposed order as appropriately modified.

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Respectfully submitted,

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cc: All counsel of record (via ECF)